

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

In Re:)
) Case No.: 19-01215-TOM13
STEPHEN P BROWN,)
SSS: ###-##-8877)
)
)
Debtor.)
)

AMENDED TRUSTEE'S OBJECTION TO CONFIRMATION AND MOTION TO DISMISS

COMES NOW Bradford W. Caraway, Chapter 13 Standing Trustee, and objects to the confirmation of Debtor's plan and moves to dismiss this case based upon the following grounds:

1. The plan payments proposed by the Debtor are insufficient to fund the plan. The Trustee recommends payments of \$574.00 monthly to pay the proposed plan within 5 years for a 100% repayment plan.

2. However, the recommended payments are not feasible as required by 11 U.S.C. § 1325(a)(6) because they exceed the projected disposable income listed in the Debtor's schedules.

3. The fixed payment of \$19.29 monthly offered to Alabama Title Loans will not cure claim no. 7 with 6.5% interest within 54 months. The Trustee recommends a fixed payment of \$21.00 monthly instead.

4. The plan does not provide for payment of secured Claim #1 filed by America's First Federal Credit Union (\$500.00).

5. The plan does not provide for payment of secured Claim #8 filed by Titlemax of Alabama Inc. (\$9,835.00).

WHEREFORE, the Trustee objects to the confirmation of the Debtor's plan and moves to dismiss this case. The Trustee prays for such other relief as the Court deems appropriate.

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Bradford W. Caraway
Chapter 13 Standing Trustee

By: /s/Charles E. King
Charles E. King
Assistant Trustee
Post Office Box 10848
Birmingham, Alabama 35202
(205) 323-4631

CERTIFICATE OF SERVICE

I hereby certify that a correct copy of the forgoing Objection has been forwarded by email or U.S. Mail to the following on this the 22nd day of August 2019:

STEPHEN L KLIMJACK LLC
pleadings@klimjack.com

STEPHEN P BROWN
1017 17TH STREET SW
BIRMINGHAM, AL 35211

/s/Charles E. King
Assistant Trustee

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